



**IT IS ORDERED as set forth below:**

**Date: September 19, 2018**

---

**Sage M. Sigler**  
**U.S. Bankruptcy Court Judge**

---

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:	)	CASE NO. 15-71563-sms
	)	
RITA ANN ROSE	)	CHAPTER 11
	)	
Debtor.	)	

---

**ORDER CONFIRMING DEBTOR'S  
CHAPTER 11 AMENDED PLAN OF REORGANIZATION**

On September 12, 2018, the Court held a hearing on Confirmation of Debtor's Amended Plan of Reorganization dated April 16, 2018 (Doc. No. 117) (the "Plan"). Howard Slomka appeared on behalf of the Debtor and Lindsay S. Kolba appeared on behalf of the United States Trustee. Ms. Kolba confirmed that all trustee fees were paid and that U.S. Trustee has no opposition to confirmation of the Plan, nor was any other party present to make an objection to confirmation.

Counsel for Debtor proffered testimony at the hearing stating that Debtor has proposed an Amended Plan that is feasible, presented in good faith and in satisfaction of the elements of 11 USC § 1129, including § 1129(b).

Prior to the hearing Debtor had agreed with Class 2 secured creditor Wells Fargo to amend their class treatment to include the following addition to paragraph 4.2 in the Plan:

in the event of a default of these payments, Creditor may give written notice to Debtor who shall have 15 days to cure the default. If Debtor does not cure the default with Wells Fargo, then in the event of the dismissal or administrative closure of the case, then the automatic stay shall be deemed to be lifted, without further action from the Court, and the creditor may proceed to enforce its remedies through state law.

With this provision, there being no opposition the Court has determined that all of the requirements for confirmation set forth in 11 U.S.C. §1129(a) and 1129(b) have been satisfied. Accordingly,

It is hereby ORDERED that the Amended Plan dated April 16, 2018 is CONFIRMED with the addition of the Plan language noted above in paragraph 4.2 of the Plan

Counsel for Debtor shall promptly serve a copy of this Order on all interested parties.

**END OF DOCUMENT**

Prepared by:  Howard P. Slomka, Esq. GA Bar 652875 Slipakoff and Slomka P.C 2859 Paces Ferry Road, Suite 1700 Atlanta, GA 30339 hs@myatlalaw.com Attorney for Debtor	No Opposition by:  Taylor Mansell, Esq. GA Bar 940461 Shapiro, Pendergast and Hasty, LLP 211 Perimeter Center Parkway., Suite 300 Atlanta, GA 30346 tmansell@LOGS.com Attorney for Wells Fargo
--	--

**DISTRIBUTION LIST**

Slipakoff and Slomka P.C  
2859 Paces Ferry Road, Suite 1700  
Atlanta, GA 30339